

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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EDGAR BAIZAN GUERRERO, *individually and on
behalf of others similarly situated,*

18-cv-04761-ARR-ST

Plaintiff,

-against-

79TH STREET GOURMET & DELI INC. (D/B/A
GOURMET DELI & GROCERY), NEW UTRECHT
GOURMET DELI AND GROCERY INC. (D/B/A
GOURMET DELI & GROCERY), COLUMBUS
GROCERY AND DELI CORP. (D/B/A GOURMET
DELI & GROCERY), MOHAMED S. MUTHANA,
and AHMED F. MUSTAFA,

Defendants.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed declaration of Michael Faillace, and attached exhibits, and the declaration of Plaintiff Edgar Baizan Guerrero (“Plaintiff”), and all prior papers and proceedings in this case, the Plaintiff, by counsel, will move the court, pursuant to Fed. R. Civ. P. 55(b)(2) and Local Rule 55.2(b), for judgment by default against Defendants 79th Street Gourmet & Deli Inc. (d/b/a Gourmet Deli & Grocery), New Utrecht Gourmet Deli And Grocery Inc. (d/b/a Gourmet Deli & Grocery), Columbus Grocery And Deli Corp. (d/b/a Gourmet Deli & Grocery), Mohamed S. Muthana, and Ahmed F. Mustafa.

Answering papers, if any, shall be served on the undersigned no later than fourteen days after service of the moving papers in accordance with Local Rule 6.1(b), or at such other time as the court may direct.

Dated: New York, New York
November 21, 2018

MICHAEL FAILLACE & ASSOCIATES, P.C.

By: /s/ Michael Faillace

Michael Faillace, Esq.

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